

3731



I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON:

Date: August 11, 2003

By: Joy A. Roeder  
Joy A. Roeder

Patent  
Attorney's Docket No. 032304-040

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
	)	
John F. Shanley	)	Group Art Unit: 3731
	)	
Application No.: 10/057,414	)	Examiner: Michael H. Thaler
	)	
Filed: January 25, 2002	)	Confirmation No.: 9725
	)	
For: EXPANDABLE MEDICAL DEVICE	)	
WITH TAPERED HINGE (AS	)	
AMENDED)	)	

**AMENDMENT/REPLY TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RECEIVED**  
**AUG 18 2003**  
TECHNOLOGY CENTER R3700

Sir:

Enclosed is a reply for the above-identified patent application.

- ☐ A Petition for Extension of Time is also enclosed.
- ☐ A Terminal Disclaimer and the ☐ \$55.00 (2814) ☐ \$110.00 (1814) fee due under 37 C.F.R. § 1.20(d) are also enclosed.
- ☐ Also enclosed is/are \_\_\_\_\_.
- ☐ Small entity status is hereby claimed.
- ☐ Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$375.00 (2801) ☐ \$750.00 (1801) fee due under 37 C.F.R. § 1.17(e).
- ☐ Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified above.
- ☐ Applicant(s) previously submitted \_\_\_, on \_\_\_, for which continued examination is requested.

- ☐ Applicant(s) requests suspension of action by the Office until at least \_\_\_, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- ☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.
- ☒ No additional claim fee is required.
- ☐ An additional claim fee is required, and is calculated as shown below:

A M E N D E D   C L A I M S					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	ADD'L FEE
Total Claims	16	MINUS 53 =	0	× \$18.00 (1202) =	0
Independent Claims	2	MINUS 7 =	0	× \$84.00 (1201) =	0
If Amendment adds multiple dependent claims, add \$280.00 (1203)					
Total Claim Amendment Fee					
If small entity status is claimed, subtract 50% of Total Claim Amendment Fee					
TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT					\$0.00

☐ Charge \$\_\_\_\_\_ to Deposit Account No. 02-4800.

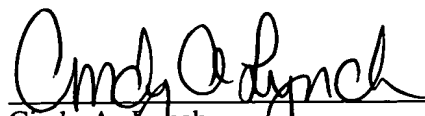
The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: August 11, 2003

By:

  
Cindy A. Lynch  
Registration No. 38,699

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(650) 622-2300

(05/03)

O I P E  
AUG 14 2003  
PATENT & TRADEMARK OFFICE

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON:

Date: August 11, 2003

By: Joy A. Roeder  
Joy A. Roeder

Patent  
Attorney's Docket No. 032304-040

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of )  
John F. Shanley ) Group Art Unit: 3731  
Application No.: 10/057,414 ) Examiner: Michael H. Thaler  
Filed: January 25, 2002 ) Confirmation No.: 9725  
For: EXPANDABLE MEDICAL DEVICE )  
WITH TAPERED HINGE (AS )  
AMENDED) )

T.H.  
8-20-03  
#11/C  
pred.

AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement dated July 10, 2003, please amend the above-identified application as follows:

RECEIVED  
AUG 18 2003  
TECHNOLOGY CENTER R3700